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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Takashi ANDO**

Group Art Unit: **2822**

Serial Number: **10/807,327**

Examiner: **Monica Lewis**

Filed: **March 24, 2004**

Confirmation Number: **4003**

For: **SEMICONDUCTOR DEVICE AND MANUFACTURING METHOD  
THEREOF**

Attorney Docket Number: **042271**  
Customer Number: **38834**

**RESPONSE TO RESTRICTION AND SPECIES REQUIREMENTS**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Date: September 26, 2005

Sir:

This paper is submitted in response to the Official Action dated August 25, 2005.

In the Action, restriction is required between Group (I), Claims 1-20; and Group (II),

Claims 21-30.

Applicants hereby elect the subject matter of Group (I), Claims 1-20.

The action also requires an election of Species. Applicants elect the Embodiment I.

Claims 1-12 read on the elected species.

This election is made without traverse, it being understood that the applicant's rights to the filing of a divisional application directed to the non-elected subject matter under 35 U.S.C. §120 and 35 U.S.C. §121 are retained.

Response to Restriction and Species Requirements  
Serial No. 10/807,327  
Attorney Docket No. 042271

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. If any additional fees are due in connection with this paper, please charge our Deposit Account No. 50-2866.

Respectfully submitted,  
**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**

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SGA/mra